

GOVERNMENT OF TELANGANA
ABSTRACT

Police - Representation of Sri K.P. Sarath Kumar, Ex.RSI of 4th Bn., TSSP, Warangal against the punishment of "Dismissal from Service" – Allowed – Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.RT.No. 892

Dated: 13/10/2015
Read the following:-

1. From Sri K.P. Sarath Kumar, Ex.RSI, 4th Bn., TSSP, Warangal, received from M (Home) vide Endt.No.1643/ M(Home)/2014, dated: 22.10.2014.
2. Govt.Memo No.440-P/Ser-II/A2/14, dated 29.10.2014
3. From the Director General of Police, Telangana, Hyderabad, Letter Rc.No.1503/T3/2015, dated 07.01.2015.
4. Govt.Memo No.440-P/Ser-II/A2/14, dated 29.01.2015
5. Repn. of Sri K.P. Sarath Kumar, Ex.RSI, 4th Bn., TSSP, Warangal, petition dated 13.07.2015.
6. Govt.Memo.No.440-P/Ser-II/A2/14, dated 24.07.2015.
7. From the Director General of Police, Telangana, Hyderabad, Letter Rc.No.1503/T3/2015, dated 07.01.2015.

ORDER:

In the reference 1st and 5th read above, Sri K.P. Sarath Kumar, Ex.RSI of 4th Bn., TSSP, Warangal has submitted a representation to the Government to set aside the punishment of "Dismissal from Service", and to reinstate him into service with all consequential benefits, as per the orders of the Hon'ble Tribunal and upheld by the Hon'ble High Court and also for the reasons mentioned therein.

2. In the reference 3rd and 7th read above, the Director General of Police, Telangana, Hyderabad, who consulted in the matter, has stated that Sri K.P. Sarath Kumar, Ex.RSI, of 4th Bn., TSSP, Warangal, has been awarded with the punishment of 'Dismissal from Service' by the DIG-IV, APSP Bn., vide Procdgs.C.No.1/PR/97 (ROO.No.191/2006) dated 01.12.2006, for the following delinquency:-

"Exhibited gross misconduct while attached to A.P. Police Sports, Hyderabad as weight lifter left Hyderabad without leave or permission from his superiors while on CL and proceeded to Rajahmundry along with (3) persons in a hired car and attempted to kill Harsha Kumar with knife and caused him injuries on 14.10.1996 at about 0630 PM and escape. This resulted his involvement in a criminal case in Cr.No.392/1996 u/s 307 r/w 34 IPC registered at 3rd L&) PS, Rajahmundry, East Godavari District. He was arrested on 04.11.1996 and sent to judicial custody on the same day and later released on bail after 57 days. He has also concealed the fact on involvement in criminal case for a period w.e.f. 14.10.1996 to 01.02.2007 on the pretext of medical certificate as if he was undergoing medical treatment. He has also accepted one lakh from the Director in order to kill Sri Harsha Kumar thereby committing breach of criminal misconduct".

His appeal and revision petitions were considered and rejected by the concerned authorities i.e., Addl., DGP, Bns, Hyderabad and D.G.P., AP, Hyderabad vide proceedings dated 17.04.2008 and 15.07.2010 respectively. His mercy petition was also considered and rejected by the Government vide Memo.No.27293/Ser.II/A1/2010, dated 31.12.2010.

3. The Director General of Police, Telangana, Hyderabad, has further stated that the individual has filed an O.A.No.5299/2009 in the APAT against his dismissal. The Hon'ble APAT in its orders dated 5.11.2012 has allowed the O.A. and set aside the Procdgs.ROO.No.191/06 (C.No.1/PR/97), dated 01.12.2006 of the DIG-IV, APSP Bns. and Procdgs in Rc.No.30/Rev/A2/2009 (HOO.No.178/08), dated 17.04.2008 of the Addl.DGP, APSP Bn. with a direction to reinstate the applicant into service with all consequential benefits of service and the period of

(P.T.O)

:: 2 ::

absence of the applicant from duty during remand period, which was treated as leave without pay by the disciplinary authority through the impugned proceedings, shall be treated as leave to which he is eligible. The Department had filed W.P.No.21939/2013 before the Hon'ble High Court against the said APAT orders, which was dismissed vide its orders dated 25.06.2015. Finally, while furnishing the O.E. records of the individual, the D.G.P., Telangana, Hyderabad has requested the Government to pass appropriate orders in the matter.

4. After careful examination of the matter with reference to the records made available and keeping in view of the orders of the Hon'ble Courts, Government hereby set-aside the punishment of "Dismissal from Service" imposed on Sri K.P.Sarath Kumar, Ex.RSI of 4th Bn., TSSP, Warangal duly reinstating him into service with all consequential benefits.

5. The Director General of Police, Telangana, Hyderabad, shall take further necessary action in the matter. The records received vide reference 7th read above is returned herewith which should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

RAJIV TRIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Telangana, Hyderabad. (w.e.)
The individual concerned
through the DGP, Telangana, Hyderabad.
SF/SC

//FORWARDED ::BY ORDER//

SECTION OFFICER